CERTIFICATE OF MAILING

I hereby certify that on _______, this paper (along with any paper referred to as being attached or enclosed) is being mailed via first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Maria Nadal

Applicant: Acey

Serial No.: 10/797,748

Filed: 09/09/2004

Title: METAL BINDING PROTEINS AND

PATENT

ASSOCIATED METHODS

Group Art Unit: 1645

Examiner: Unassigned

Atty Docket No.: 51302-00002 (formerly

14353-11)

NOV 1 0 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AMENDMENT PERTAINING THERETO FOR BIOTECHNOLOGY INVENTION CONTAINING

NUCLEOTIDE AND/OR AMINO ACID SEQUENCE

(37 CFR §§ 1.821-1.825)

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicants enclose herewith a SUBSTITUTE SEQUENCE LISTING in computer readable (ASCII) form. A paper copy of the SUBSTITUTE SEQUENCE LISTING in compliance with 37 CFR §§ 1.821-1.825 for the nucleotide and amino acid sequences disclosed in the above-referenced application is also submitted herewith.

STATEMENT THAT COMPUTER READABLE COPY OF THE SUBSTITUTE SEQUENCE LISTING IS THE SAME AS THE PAPER COPY OF THE SUBSTITUTE SEQUENCE LISTING

I hereby state:

- 1. The computer readable (ASCII) form of the SUBSTITUTE SEQUENCE LISTING submitted in this application is the same as the paper copy of the SUBSTITUTE SEQUENCE LISTING to which it is indicated to relate.
- 2. All papers accompanying this submission introduce no new matter to the accompanying application.

VERIFICATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of the Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

11/8/05

Michelle S. Glasky
Registration No. 54,124

CUSTOMER No. 45,200
PRESTON GATES & ELLIS
1900 Main Street, Suite 600
Irvine, CA 92614

Telephone: (949) 253.0900 Facsimile: (949) 253.0902